

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

John Francis Medaglia III

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

Shawn Middleton
New Ellenton Police Dept.

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

Case No. _____
(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No
(check one)

RCVD - USDC COLA SC
FEB 1 '24 PM 12:24

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	John Medaglia
Street Address	4009 Sorensten Drive
City and County	Aiken, Aiken County
State and Zip Code	South Carolina 29803
Telephone Number	774-321-5596

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	Shawn Middleton
Job or Title (if known)	(Ex) Chief of Police in New Ellenton
Street Address	200 Main St
City and County	New Ellenton, Aiken County
State and Zip Code	South Carolina 29809
Telephone Number	803-770-7835

Defendant No. 2

Name	New Ellenton Police Department
Job or Title (if known)	
Street Address	200 Main St.
City and County	New Ellenton, Aiken County
State and Zip Code	South Carolina 29809
Telephone Number	803-770-7835

Defendant No. 3

Name	
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Job or Title _____
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
Defendant No. 4
Name _____
Job or Title _____
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (*check all that apply*)

☒ Federal question

☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

§ 16-3-910
U.S. Const. Amendment I
U.S. Const. Amendment IV

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____. Or is a citizen of *(foreign nation)* _____.

b. If the defendant is a corporation

The defendant, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____. Or is incorporated under the laws of *(foreign nation)* _____, and has its principal place of business in *(name)* _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (*explain*):

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

On 9-22-23, around 1pm, I was recording in the public areas of the city hall and was subsequently arrested by the defendant for expressing my first amendment rights and forcefully took my belongings after doing so injuring my ribs in the process

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

I ask the court grant \$500,000 in punitive damages for my broken tripod and being forcefully detained 3 separate times and wrongful imprisonment and for violations of my first and fourth amendment and intentional infliction of emotional distress

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 2-1, 2024

Signature of Plaintiff

Printed Name of Plaintiff



John Medaglia

B. For Attorneys

Date of signing: _____, 20__.

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Address _____

Telephone Number _____

E-mail Address _____

For The District Court of South Carolina

John Medaglia III

Plaintiff

CASE NO. 1:24-CV-00533-MGL-SVH

V.

Shawn Middleton

City of New Ellenton

Defendant(s)

Amendments to Original Complaint

Dear Judge Hodges, and Opposing Counsel,

I, John Medaglia III, the plaintiff in the above-captioned matter, hereby submit this motion seeking leave of the Court to amend my original complaint pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure.

As per Local Rule 7.03 of this court, I have conferred with opposing counsel, and while we have not been able to reach an agreement on the proposed amendments, I believe that the amendments I seek are necessary to properly frame the issues and claims in this case.

Upon reviewing the original complaint, it has become apparent that certain amendments are necessary to properly state the claims asserted therein.

ROVD - USDC DCLA SC
JUL 24 '24 PM 2:42

Proposed Amendments:

1. I propose to amend the original complaint by substituting the defendant "New Ellenton Police Department" with "The City of New Ellenton" to accurately reflect the proper party in interest.

2. Additionally, I propose to further amend the complaint by adding factual allegations regarding the presence of a no cell phone sign outside the reception desk in the lobby of the Town Hall, which is unconstitutional on its face. These additional facts are relevant to demonstrating the violation of my constitutional rights as alleged in the complaint.

3. Furthermore, I propose to amend the complaint to include an additional factual allegation that I was arrested for disorderly conduct for swearing, which is a constitutionally protected activity. This amendment is necessary to fully articulate the violation of my First Amendment rights as part of the claims asserted in the complaint.

4. Moreover, I propose to amend the complaint to include a further factual allegation that the defendant expressed to me that the lobby of the town hall was a restricted area and there was a no recording policy within that part of the building. This amendment is relevant to establishing the context in which my constitutional rights were allegedly violated.

5. Additionally, I propose to further amend the complaint by adding a factual allegation that I informed the former chief that all I was doing was expressing my First Amendment rights in a public place by recording in the public lobby. Despite this, after detaining me the first time, he proceeded to say, "you want a lawsuit, you get a lawsuit," and subsequently arrested me again after displaying full knowledge that I was just recording the public signs and history.

In conclusion, I respectfully request that this Honorable Court grant the motion to amend the complaint as detailed above. These amendments are vital to ensuring the proper framing of the issues and claims in this case and are made in good faith and in the interest of justice.

Furthermore, I kindly ask the Court to bring this case to the next phase of litigation, which is discovery. Discovery will enable both parties to obtain relevant information and evidence necessary to prepare for trial and ultimately resolve this matter fairly and efficiently.

Thank you for your attention to this matter. Should the Court have any questions or require further information, I am available at your earliest convenience.

Sincerely,

John Medaglia

4029 Sorensten Drive

Aiken, SC 29803

firstamendmentprotectionagency@gmail.com

774-321-5596